



working together
to end violence against
women and children

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Prostitution Reform Consultation

Written Submission from Glasgow Violence Against Women Partnership

Prostitution Law Reform (Scotland) Bill

1 Introduction

The Glasgow Violence Against Women Partnership (GVAWP) welcomes the opportunity to respond to this consultation paper. The GVAWP is supportive of the element of this bill that refers to the decriminalisation of those selling sex i.e. vulnerable women and men however, we are not supportive of any other aspect of this bill. This proposed change to the legislative framework in Scotland, is one which significantly undermines the objective of Equally Safe: Scotland's Strategy to prevent and eradicate violence against women and girls¹. Equally Safe recognises that violence against women and girls is firmly rooted in gender inequality and is both a cause and consequence of violence against women. The definition in the strategy clearly recognises prostitution as part of the continuum of violence against women.

The GVAWP is a multi-agency partnership concerned with tackling violence against women in the city. Partners include Glasgow City Council; Community Safety Glasgow; Police Scotland; Glasgow City Council Partnership & Development Services; Glasgow City Council Education Services; Glasgow Health and Social Care Partnership; NHS Greater Glasgow and Clyde; Crown Office Procurator Fiscal Services; Locality VAW Implementation Groups; Standing Group on Violence Against Women.

The key Glasgow services which support women out of prostitution are located within, and managed by, Community Safety Glasgow (CSG). These are Routes Out which targets street prostitution and TARA which addresses the issue of trafficking for commercial sexual exploitation. Managing support provision for women involved in prostitution and women who have been trafficked for sexual exploitation provides a wealth of specialised knowledge on the issues of prostitution and trafficking and in particular the experience and needs of women. Glasgow services supporting women and men involved in systems of prostitution have been operational for 26 years.

The GVAWP rejects the language used in this bill in particular the use of the term 'sex work', we are of the view that it is not work like any other, it is not a legitimate form of employment, nor is it equivalent to other jobs and we will explore this in more detail in our response.

¹ Equally Safe: Scotland's strategy to prevent and eradicate violence against women and girls

2 Glasgow City Council Position

There have been robust, strategic and well developed partnership arrangements in Glasgow to address the various issues of violence against women and children since 1998.

Glasgow City Council has been concerned with tackling prostitution since 1999. The approach taken by GCC has been informed by the direct and lived experiences of women involved in prostitution. Base 75, Glasgow's first drop in service for women in prostitution recorded the significant harm caused to women, who were subjected to sexual violence and murdered by men who bought sex. In response to this in 1999, Glasgow City Council produced a policy statement on how the city would tackle prostitution; most importantly it named and identified prostitution as violence against women. Routes Out of Prostitution was established, a dedicated themed social inclusion programme to develop models to support women involved in prostitution, to reduce the harm caused and to tackle strategic and other barriers to exiting prostitution.

GCC recognised that prostitution was inherently harmful and damaging. This approach was reaffirmed by GCC in 2015 when the full council passed a motion recognising that selling sex is rooted in gender inequality, survival and the commodification of women and (or vulnerable men's) bodies.

Community Safety Glasgow (CSG) Routes Out of Prostitution service delivers a full range of practical and emotional support services for women involved in prostitution. CSG Routes Out service has a holistic user led approach in the delivery of their services with a significant focus on harm reduction which includes safety planning, free access to condoms, information about dangerous 'punters', sign posting for sexual health services and empowers and supports women to explore exiting all from a non-judgemental perspective.

The TARA Service of CSG has been funded by the Scottish Government since 2004 to develop a service to identify and support women, over 18 years, who have been trafficked into or around the UK where there are concerns they have been victims (survivors) of commercial sexual exploitation, from 2008 this developed to a Scotland wide national service. From April 2009 until March 2015, 216 women have accessed this support service. (This includes small number trans women.)

Women are provided with holistic support based on a trauma and human rights led approach which includes access to safe accommodation, early legal advice, subsistence and individual care plans which are developed in partnership with the team and women and focussed on recovery and alternatives. TARA provide a confidential service informed by a comprehensive risk assessment. Confidentiality is only breeched where there are concerns for her safety or the safety of others such as children or other women. We are open with women about our confidentiality policy and the reasons why we would share concerns without their consent.

The women we have supported have a diverse background of nationality, ethnicity, age, religion, sexual orientation, education levels and experiences within the sex industry both in their country of origin and within the UK. Women have come to be in Scotland in a myriad of ways but it should be noted that cheap, direct and short flights to the UK and Scotland's close proximity with Europe make the movement of women simpler and more cost effective for traffickers and serious organised crime groups. The proposal contains no acknowledgement of the hugely different geographical locations of Scotland and New Zealand and does not contain any suggestions as to how the proposed legislation would mitigate for this method used by traffickers. Whilst we acknowledge that the proposal for SOOBs are underpinned by the desire to improve women's safety we have significant

concerns that such an unregulated model would be perfect for human traffickers and enable them to exploit and hide vulnerable, trafficked women in plain sight, preventing identification and recovery for this most marginalised group.

In the 11 year experience of TARA it is very rare that the women they support view themselves as 'migrant sex workers' and only a small minority return to prostitution as a means to survive. Most of the women view their experience on the continuum of male violence against women and those with previous involvement in prostitution are clear they became involved due to lack of choices, violence or exercising their 'agency' in order to survive. The majority cite what happened to them as sexual violence and exploitation rather than simply being exploited for their 'sexual labour' and having no 'labour rights'. TARA report that the language and analysis within this proposal does not reflect the lived experiences of the women they have supported.

Many of the women that TARA support have been 'advertised' on various internet websites, including well known sites such as Adult Work. Some of the women disclosed their situation to purchasers of sex (apart from one case all of the buyers have been men) some of whom assisted others who ignored their predicament all of whom continued with the sexual act they had 'purchased'. Despite providing a means to anonymously report concerns from 3rd parties we rarely take calls from buyers citing concerns for the wellbeing of women, despite buyers' on line reviews being littered with 'field reports' with significant indicators and explicit concerns of trafficking. It is difficult to see how this proposal would tackle the intersecting issues of racism, misogyny, poverty, patriarchal cultures and the apparent male entitlement to women's bodies evident throughout such 'reports'.

Current discourses on all forms of human trafficking and modern slavery make the links between supply and demand and current European legislation, The Council of Europe Convention on Action Against Trafficking in Human beings and the EU Directive 2011/36/EU both place obligations on signatories to tackle demand. This current proposal would decriminalise **all** aspects of prostitution and remove any legal measures that can be used to protect the majority of women and bring to justice those who traffic, exploit and profit from them. Whilst the proposal, wrongly in their experience, separates prostitution and trafficking and refers to the Human Trafficking and Exploitation (Scot) Act 2015 which contains no explicit measures to tackle demand from our domestic sex industry. It does acknowledge coercion but does not provide a definition of 'coercion' or acknowledge the complexities around psychological control, its cumulative impacts and the impact on women or indeed vulnerable men and children.

3 Scottish Government Position

In November 2002 the then Scottish Executive debated the issue of violence against women, this included testimony from women survivors as well as input from service providers. At that time the Scottish Executive agreed to extend the definition which focused on domestic abuse to include all forms of violence against women, including prostitution. As the owners of Equally Safe the Scottish Government are a major stake holder in the challenge to eliminate violence against women.

In June 2014 the Scottish Government produced Equally Safe: Scotland's strategy to prevent and eradicate violence against women and girls. In this strategic document the Scottish Government clearly names and identifies prostitution as violence against women, firmly rooting the continued use of violent and abusive behaviour towards women and girls in the ongoing inequality between men and women.

The Scottish Government priorities within the strategy are:

- Scottish Society embraces equality and mutual respect and rejects all forms of violence against women and girls
- Women and girls thrive as equal citizens; socially; culturally; economically and politically
- Interventions are early and effective, preventing violence and maximising the safety and wellbeing of women and girls
- Men desist from all forms of violence against women and girls and perpetrators of such violence received a robust and effective response

We would contest that to adopt the proposed bill would significantly undermine every objective as set out within Equally Safe and in effect render its outcomes unachievable.

4 Responses to Questions

1. Do you support the general aim of the proposed bill? Please indicate yes/no/undecided and explain the reasons for your response.

No

The GVAWP fully support the decriminalisation of women, men and children sexually exploited through prostitution but do not support the system of prostitution which exploits them.

We are wholly against the full scale decriminalisation of the sex industry, which only serves to legitimise the systematic abuse of women in prostitution by buyers, pimps, brothel owners, organised criminals and traffickers. Prostitution is harmful for those directly involved and by mainstreaming the sex industry there is a broader cultural harm which normalises and condones sexual violence and identifies women as a sex class.

The Scottish Government strategy Equally Safe, clearly names prostitution as violence against women, the aim of the strategy is to *'challenge the norm, demanding a fundamental change in the societal attitudes, values and structures that give rise to and sustain the problem'*. We would contest the bill as proposed will create a new norm, reinforce harmful societal attitudes where the only choice exercised is by those buying sex and those profiting from the selling of sex.

There is a clear link between prostitution, trafficking and organised crime and we believe that the proposed legislation would create legitimate businesses out of those who seek to profit from a Scottish sex industry namely, organisers, pimps, brothel owners and traffickers.

We are deeply concerned that the purchasers of sex, usually men are invisible and continue to remain invisible throughout this consultation. The buying of sexual access to women's bodies is not harmless entitlement, there is a major power differential between a man who buys sex and the women he buys, in terms of her poverty, and her unequal social status². Prostitution is not a legitimate means of employment to survive austerity or an alternative to poverty.

There are those who would defend this bill, their arguments are both seductive and libertarian because they are 'user' led. The group of women and men who are referred to in this consultation are a privileged group of individuals that are not representative of all women

² Elected member briefing note, the Improvement Service, Scotland 2010

involved in prostitution or of the women whom services in Glasgow support on a day to day basis. We believe that the approach proposed in the consultation is narrow, by only consulting with current 'sex sellers' limits the discussion. We cannot think of any other circumstances where a legislative framework would be directed by a single interest group. Nowhere in the document is it evident that consultation or discussion has been extended to include the service users that Routes Out and other such organisations work with and support on a day to day basis.

2. Do you agree that the New Zealand Prostitution Reform Act is a model for Scotland to follow? Please indicate 'yes/no/undecided' and explain the reasons for your choices?

No.

The key aims of the New Zealand Prostitution Reform act were to safeguard the human rights of sex workers and protect them from exploitation, and to promote the welfare and occupational health and safety of sex workers.³ The GVAWP are of the view that it is not a human right to have sex, it is not a human right to buy sex, but it is a human right not to be sexually exploited through prostitution.

To date the New Zealand Government report there is very little data available on the numbers of women involved in prostitution and the numbers recorded are guestimates. The reasons cited are that the 'work' remains stigmatised and women keep it a secret to prevent them experiencing discrimination and difficulty in accessing other forms of employment if and when they choose to exit. Negative attitudes to 'sex work' prevail despite this being a key aim of the Act.⁴

Geographically, New Zealand is very isolated in the world, access to the country tends to be by air and it's expensive. Scotland on the other hand is a small country with a similar population, but with much easier and more economical access, by car, bus, train, boat or aeroplane. The GVAWP would be deeply concerned that Scotland would become a centre for sex tourism, even more so now in light of the introduction of legislation in Northern Ireland by way of the Human Trafficking and Exploitation Act. The Republic of Ireland has reported displacement since the inception of the Northern Ireland legislation, the Immigrant Council of Ireland in a snapshot survey reported that '*Online prostitution was over 500% higher in Limerick, with 55 women profiled and 48 profiled in Galway, compared to eight women profiled in Derry*'.⁵ It is understood that the Republic of Ireland are very likely to introduce their own legislation to challenge demand in the near future, increasing the risk to Scotland.

Prostitution is the main driver for trafficking.⁶ Community Safety Glasgow TARA service is located in Glasgow has provided support to women since 2005 and believes that the issue of human trafficking for sexual exploitation cannot easily be separated from prostitution itself or the demand for sexual services in Scotland. When you consider how women in general are 'marketed' by the sex industry on the internet and in print newspaper (please see the "Daily Sport" for examples) and the manner in which women are 'reviewed' on 'punter websites' it is difficult to disaggregate trafficking from the general experience of women caught up in systems of prostitution.

³ Jan Jordan. 'Sex work - Legislation and decriminalisation', Te Ara - the Encyclopedia of New Zealand, updated 22-Oct-14 URL: <http://www.TeAra.govt.nz/en/sex-work/page-4>

⁴ Jan Jordan. 'Sex work - Sex workers and clients', Te Ara - the Encyclopedia of New Zealand, updated 22-Oct-14 URL: <http://www.TeAra.govt.nz/en/sex-work/page-5>

⁵ Immigrant Council of Ireland

⁶ WHO Fact Sheet on VAW No 239, Barnardos

3. What (if any) would be the main advantages of the legislation proposed? What (if any) would be the disadvantages?

Advantages

The GVAWP acknowledge the advantages there would be for women in prostitution, should it become decriminalised, this is an approach we have consistently been supportive of. In the main we would identify the following as the main advantages:

- Women would cease to be criminalised
- Criminal records would not prevent future employment opportunities
- No longer receive custodial sentences for non- payment of fines

There are however many advantages to those who would seek to profit from the exploitation of others. The human and economic cost of prostitution for women is profoundly harmful, most women and girls emerge from prostitution ill, traumatised and as poor as when they went in.⁷ Nowhere else in law would you seek to advantage the profiteers.

Disadvantages

The GVAWP fail to see how this legislation will protect and benefit the majority of women in prostitution, we say this because this legislation does not tackle the real issue of demand, created by men who feel entitled to buy sex, mostly from women but occasionally from men, vulnerable young people and children, including those who have been trafficked.

This legislation would fail the most vulnerable in our society, it would leave them open to gross exploitation, grooming, internal trafficking, mental, physical and emotional health issues, addictions, this is all over and above the most harmful aspect of prostitution for those involved is to have to repeatedly endure paid for but unwanted sex.⁸

The impact on women as a group is not without great harm, Rhode Island City Council introduced legislative framework in 2009 to criminalise prostitution, which had been decriminalised since the early 1980's. The new laws were supported by members of law enforcement agencies because previously they were hindered in their legal capacity to investigate serious gender crimes by decriminalised prostitution (Shapiro & Hughes, 2015).⁹

Manukau City Council following on from the introduction of the reform act attempted to bring forward a private bill Manukau City Council (Control of Street Prostitution) Bill 2005 which led to hearings before a select committee. Manuku City Council contested that street prostitution has risen substantially since the advent of the reform act and that the involvement of organised crime, gangs, and pimps in street prostitution was evident. Furthermore there was an increase in 'offensive' litter (condoms), public urination, disorder, drugs and intimidation.¹⁰ Scotland if it were to legislate in favour of this proposal is likely to experience similar, potentially creating ghetto's and no go areas in some of our cities.

There is the potential for the creation of mega brothels in Scotland similar to those that exist in Germany. In Germany it is estimated that approximately 400,000 women, mostly migrant

⁷ Gail Dines Factsheet on Prostitution (2000)

⁸ Challenging Men's Demand for Prostitution in Scotland

⁹ Shapiro & Hughes, 2015

¹⁰ Shadow Report for the CEDAW Committee on New Zealand from: Coalition Against Trafficking in Women New Zealand.

are working in mega brothels. Women are not employed but are contracted by the brothel owners and pay a fee to 'work'. In order to meet their expenses women have no choice but to agree to paid for, but unwanted to sex from excessive numbers of 'punters'. Men pay a flat fee for entry and are offered a menu to 'choose' from sexual services. Regardless of whether a brothel is quiet or busy the owners will be protected from financial loss by having a core of women working. In these circumstances we can see no advantages to women in prostitution.¹¹

The Scottish Government aspires to a fairer Scotland committed to creating flourishing communities, where people feel safe and respected. This would not be achieved under this proposal.

4. Do you agree that current laws against soliciting and kerb-crawling should be repealed? Please indicate "yes/no/undecided" and explain the reasons for your response.

It would be a backward step for Scotland to introduce legislation that would repeal the Prostitution Public places (Scotland) Act 2007. Legalising or decriminalising, there is little difference between the two. Safety is not an automatic guarantee, we are minded that up until his arrest for the murder of 5 women involved in prostitution in Ipswich, Steve Wright was a regular 'punter' whom no one suspected.

While we are supportive of the decriminalisation of the sellers of sex, this is not a solution in and of itself; it must also be accompanied by other elements of a challenging demand approach which includes criminalising those who buy sex and the introduction of resources to support exiting.

5. Do you agree that small groups of up to four sex workers should be legally entitled to work collectively from the same indoor premises? Please indicate "yes/no/undecided" and explain the reasons for your response.

No.

There is little or no evidence to support that establishing small owner occupied brothels (SOOB) will make prostitution safer. Purchasers of sex make prostitution dangerous. This proposal relies on other women knowing what is going on, in private rooms, often behind locked doors. Grouping 4 individuals together might make it easier or quicker to call for help or for a police response, but it does not address, reduce or negate the violent behaviour from sex buyers. In their research '*Comparing Sex Buyers With Men Who Do Not Buy Sex: New Data on Prostitution and Trafficking*' (2015 Melissa Farley, Jacqueline M. Golding, Emily Schuckman Matthews, Neil M. Malamuth, and Laura Jarrett) reported that men who buy sex are more likely to report having committed rape or other sexually aggressive acts. Furthermore they highlighted that men who bought sex scored higher on measures of impersonal sex and viewed prostituted women as body parts, orifices to be penetrated and essentially different from other women.¹²

The proposal does not make any mention of the impact SOOB's might have on communities. Prior to the introduction of the Prostitution Public Places (Scotland) Act 2007 we were acutely aware of the levels of sexual harassment, intimidation and sexual aggression; women were subjected to by 'kerb crawling' men in areas known in Glasgow as the 'drag'.

¹¹ <http://prostitution.procon.org/view.resource.php?resourceID=000772#germany>

¹² *Comparing Sex Buyers With Men Who Do Not Buy Sex: New Data on Prostitution and Trafficking* ' (2015 Melissa Farley, Jacqueline M. Golding, Emily Schuckman Matthews, Neil M. Malamuth, and Laura Jarrett)

To decriminalise sex buyers would permit this behaviour across the board and deny all women legal protection from this predatory, dangerous and aggressive behaviour. We would also expect to see the appearance of SOOB's in communities and would anticipate that this would create a number of community tensions that might include; increased visibility of 'punters' in communities; issues for landlords and property managers; issues for local councils managing houses of multiple occupation; challenges for planning departments.

There is no evidence to suggest that SOOB's would not be exploited by pimps, brothel owners; traffickers or serious organised crime. We understand in New Zealand that SOOB's sit outside the regulatory authority and are not required to be licensed, we would expect if Scotland was to implement a similar model that very quickly this would be a far more attractive option for controllers because of their invisibility to licensing or medical officers and to law enforcement agencies.¹³

It is estimated that prostitution is worth £5.6 billion annually in the UK we find it difficult to accept that those currently profiting from the exploitation of others will relinquish their stake in prostitution.¹⁴ The New Zealand experience suggests that state sanctioned brothels are used as a means to launder money from other illegal activity.

6. Do you agree that the licensing regime already in place for sexual entertainment venues should be extended to cover indoor premises where more than four sex workers are employed? Please indicate "yes/no/undecided" and explain the reasons for your response.

No.

This approach is fraught with danger: current licensing arrangements only serve to protect public safety in relation to the sale of alcohol and are not fit for purpose in sexual entertainment venues. We also reject the buying of sex as part of a continuum of 'adult entertainment'. Prostitution is steeped in gender inequality and seeks to make a profit on the sexual objectification and commodification of women. It is an industry that is detrimental to all women. Regulation and control does not work and costs to local authorities would be significant.

Glasgow City Council licensing department informed the writer that while the Air Weapons and Licensing (Scotland) Act 2015 received Royal Assent earlier on this year, the licensing regime for sexual entertainment venues has no commencement date.

7. Do you agree that the laws on living on the earnings of prostitution and procuring should be repealed and that there is a need for more stringent and robust laws against coercion in the sex industry modelled on the New Zealand Prostitution Reform Act?

No.

Seeking to introduce more stringent and robust laws against coercion in the sex industry is an acknowledgement that it is an industry steeped in them. The question is asked without presenting a definition of what is understood by 'coercion in the sex industry' and on that basis we our response is informed by our understanding. Coercive control is a concept and term developed by Evan Stark in relation to domestic abuse, it applies equally in prostitution. First and foremost he identifies coercive control as a liberty crime, where fear and confusion

¹³ http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10783338. Retrieved 30.11.15

¹⁴

are always present and every move is monitored in an ever changing and unknowable book of rules. We know from our experience that women who have lived with domestic abuse all of their adult lives have difficulty in naming and identifying their experiences as abusive. Women involved in prostitution are no different.

This approach is deeply flawed and creates a mandate for pimps, brothel owners and organised crime to legitimately profit from the exploitation of others. Coercive control and grooming are behaviours evident right across all forms of violence against women, including prostitution. These behaviours are used by the 'controllers' to ensure compliance and to maximise their control over the individual. Grooming for sexual exploitation takes many different forms but generally includes a combination of sexual, violent and non-violent behaviours which:

- separate the woman from her previous life leaving her isolated from friends and family and potential sources of support
- subject her to behaviours which break her will and her ability to resist
- create dependency
- leave her in a state of fear and alarm

Introducing legislation is dependent on women naming her experience, presenting police and prosecutors with the evidence that supports her allegations and for corroboration to be present. Coercive control is not always in plain sight.

Scotland has made significant progress in its efforts to tackle violence against women, over the last 15 years; we have seen the introduction of legislation that has increased the protection offered to women. Globally Scotland is seen as a leader in its attempts to tackle the inequalities experienced by women and we would argue that for Scotland to introduce the New Zealand approach would cause significant harm to the Scottish Government commitment to equalities.

We can find no evidence to suggest that partners and family members in particular children were prosecuted by Crown Office from living off of prostitution.

8. Do you agree that there should be a statutory right for sex workers to refuse to provide, or refuse to continue to provide, sexual services?

We are somewhat puzzled by this question. Consent is clearly defined in Sexual Offences (Scotland) Act 2009, if consent is withdrawn at any time then the act is sexual violence and that is a crime. Women can withdraw consent to physical sexual intimacy at any point in time whether that activity is paid for or not.

To introduce a proposal to provide additional statutory protection for women in prostitution is confirmation and admission of the disadvantage that women in prostitution experience. We are also concerned that such a proposal sets women in prostitution apart from women who are not, further stigmatising women in prostitution.

9. Do you agree that there should be a statutory obligation on brothel operators to ensure safer sex supplies are made available on their premises?

We are unsure what is meant by 'safe sex supplies', if it refers to condoms, dental dams or water based lubricants, these are already freely available via the NHS in Scotland and this should continue to be the case.

Harm reduction is a key component of CSG Routes Out support service; this support is not delivered in isolation but as part of a package which supports women to consider all of her choices.

It is unacceptable that sexually transmitted infections are perceived as an occupational hazard for women in prostitution. Repeated exposure to STI has a significant detrimental impact on the physical health of women. We are deeply concerned that women in prostitution will assume full responsibility for their sexual health and that of the men who buy sex. Once again men who buy sex are invisible, unaccountable and have little or no responsibility. It is also unlikely that brothel operators who are primarily concerned with making a profit would have the health and other needs of women in prostitution a priority.

10. What is your assessment of the likely financial implications (if any) of the proposed Bill to you or your organisation? What (if any) other significant financial implications are likely to arise?

Where there is prostitution there is harm, where there is harm, there is a price to pay and women in prostitution pay the ultimate price with the subjugation of their physical, mental and emotional wellbeing.

While it is difficult to estimate the costs to the proposed bill we would expect that the financial implications would be substantial, all of this in a time of reducing budgets, in particular for local authorities, if they were to assume the role of the regulatory body. We would also expect to see increased policing costs for Police Scotland.

In repealing Prostitution Public Places (Scotland) Act 2007 we would anticipate the re-emergence of street prostitution and the historical dangers, challenges and risks that this creates for those in prostitution, members of the public and local businesses.

The human cost to those involved in prostitution is sizeable, the harm of multiple unwanted sex acts translates into profound physical and mental trauma for women, this includes; depression, anxiety, emotional distress and post-traumatic stress disorder.¹⁵ It is very common for women to develop survival strategies in order to function on day to day basis and these include drug and alcohol dependency; self-harm and dissociation. It is therefore not unreasonable to expect hugely increased health costs.

Community Safety Glasgow TARA service has grave concerns that should this be approved we would experience a considerable increase in human trafficking, alongside a decreased ability to identify and protect victims of trafficking (Cho 2015).¹⁶

The consultation makes no mention of the inclusion of resources to support those who wish to exit prostitution, the GVAWP consider this a vital element of any legislative framework.

11 Is the proposed Bill likely to have any substantial positive or negative implications for equality? If it is likely to have a substantial negative implication, how might this be minimised or avoided?

¹⁵ Encompass Report

¹⁶ Cho 2015

Violence against women does not exist in splendid isolation, Equally Safe the Scottish Government strategy has a focus on women and girls because it recognises that the risk of experiencing some form of gender based violence is there throughout the lives of women and girls and it is '*gender that predicts an individual's likelihood of experiencing inequality*'. Introducing this bill will have a profoundly negative impact on equality and would be a regressive step for the Scottish Government.

We are of the view the only meaningful and respectful means to support women and men in prostitution which will enhance and underpin equalities: is to endorse and legislate for a challenging demand approach in Scotland. This calls for:

- decriminalising of those who sell sex
- criminalising those who buy sex
- provision of resources to support women and men to exit prostitution

We know from our own experiences and that of other direct service providers there is an over representation of survivors of child sexual abuse in prostitution, this experience of women being subjected to multiple abuses in their lifetime is consistently acknowledged throughout Equally Safe.

The implementation of this bill will impact across all forms of violence against women; prostitution will become a legally sanctioned form of domestic abuse, if women are pimped out by their current or former partner; a legally sanctioned form of sexual violence when women have no recourse for legal or other protection.

Glasgow Violence Against Women Partnership 2015